

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.	10/664,715	Confirmation No.:	4404
Applicant(s)	Dimitrios Manoussakis		
Filed:	September 18, 2003		
Group Art Unit:	1743		
Examiner:	Patricia K. Wright		
Docket:	P-5808/1		
Customer No.:	26253		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION REQUIREMENT

Sir:

This document is being filed in response to the Office Action mailed April 4, 2007 the period for response having been extended one month by the filing of an extension of time herewith, and in connection with the above-referenced application.

Restriction Requirement under 35 U.S.C. 121

The Examiner asserts that restriction is required to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-66, drawn to a container, classified in class 422, subclass 102.
- II. Claims 67-75, drawn to a process for making a container wherein a gel is disposed in a manner to coat the container, classified in class 118, subclass 317.
- III. Claims 76-86, drawn to a process for making a container in a manner which promotes slumping of the gel after addition into the container, classified in class 436, subclass 177.

Applicants elect Group I without traverse.

Applicants expressly reserve the right to the non-elected subject matter including the right to file one or more continuation and/or divisional applications to that subject matter as now embraced in non-elected Groups II (Claims 67-75) and III (Claims 76-86).

Election of Species

The Examiner further asserts that in the event that Group I is elected, the following species election must also be made between the following patentably distinct species.

- i. Fig. 2, corresponding to claims 1-13; 56-60;
- ii. Fig. 3, corresponding to claims 14-32 and 61-66;
- iii. Fig. 5, corresponding to claims 33-37;
- iv. Fig. 8, corresponding to claims 38-50.

The Examiner has stated: “No claims are currently generic: “

Applicants elect Claims 14-32 and 61-66, as embodied in Species ii. without traverse, reserving the right to amend and resubmit the Claims readable on Species i. iii. and iv. for rejoinder under MPEP 821.04 should a generic claim become allowable. This election of species is made without prejudice to Applicants’ right to pursue generic claims and/or additional species upon examination of the elected species. Applicants also reserve the right to further define the invention, or file divisional applications directed to the non-elected groups and/or species.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-1666.

If the Examiner has any questions or comments relating to the present application, he or she is respectfully invited to contact Applicants agent at the telephone number set forth below.

Respectfully submitted,

/Mark Lindsey/

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Dated: June 4, 2007.
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